

## **MEDINA CITY COUNCIL STUDY SESSION MINUTES**

*July 24, 2006  
7:00 pm*

*Medina City Hall  
501 Evergreen Point Road*

### **EXECUTIVE SESSION**

The city council convened in executive session at 6:00 pm, for the purpose of labor negotiation discussions per RCW 42.30.110 (1) (g). City Manager Doug Schulze; City Labor Attorney Scott Snyder; and Councilmembers Miles Adam, Lucius Biglow, Drew Blazey, Katie Phelps, Robert Rudolph and Pete Vall-Spinosa were present. No action was anticipated and duration of the session was expected to be one-hour. Executive Session was adjourned at 6:50 pm.

### **CALL TO ORDER**

Miles Adam called the July 24, 2006, Medina City Council Study Session to order at 7:07 pm.

### **ROLL CALL**

Present: Miles Adam, Lucius Biglow, Drew Blazey, James Lawrence (*arrived at 10:23 pm*), Katie Phelps, Robert Rudolph, and Pete Vall-Spinosa

City Staff Present: Douglas Schulze, City Manager, Wayne Tanaka, City Attorney, Ogden Murphy Wallace; Jeff Chen, Chief of Police; Joseph Gellings, Director of Development Services; Kristin Hoffman, City Landscape Consultant, OTAK, Joe Willis, Director of Public Works; and Rachel Baker, City Clerk

### **ANNOUNCEMENTS**

Phelps announced that she voted on the prevailing side of the Medina Beach Park Shoreline Restoration Project decision during the July 10<sup>th</sup> City Council meeting and requested time during the study session to discuss a reconsideration of the vote. Mayor announced item would be added to the agenda.

### **DISCUSSION**

#### SR-520 Bridge Replacement and HOV Project (7:10 pm)

Mayor introduced Paul Demitriades and Dave Martin, residents appointed to serve on the Design Advisory Group (DAG) for the City of Medina.

Mr. Demitriades provided a history of DAG and defined its purpose, role and objectives. He recommended the DAG handbook and draft environmental impact statement (DEIS) be available for public review and comment after publication. Mr. Martin further

explained group dynamics within DAG and the results DAG groups have achieved. Mr. Demetriades said he and Mr. Martin would be available if citizens would like more information regarding the project.

John Milton, Project Director with the Washington State Department of Transportation (WSDOT) SR-520 Project, presented mugs to both Mr. Demetriades and Mr. Martin as tokens of recognition for their efforts and participation with DAG.

Beginning at 7:24 pm, Mr. Milton delivered a thirty-five minute Power Point presentation which offered detailed information pertaining to project history, purpose of the DEIS, alternatives and options that currently exist for the SR-520 bridge, visual, noise, and water impacts, and the process for moving forward with the project. A hardcopy of the presentation was submitted to the city clerk.

Mr. Milton announced the DEIS will be released August 18, 2006, the 45-day comment period will be August 18<sup>th</sup> through October 2<sup>nd</sup>, and public comment will be encouraged in many forms, including via email, written correspondence and telephone. He stated a public hearing has been scheduled for September 21<sup>st</sup> from 4:00 to 7:00 pm at St. Luke's Lutheran Church in Bellevue, and public comment will be accepted at that time. He added that more information regarding the project, including viewing the DEIS, can be obtained by visiting the project website at:  
<http://www.wsdot.wa.gov/projects/SR520Bridge>.

Mr. Milton remarked WSDOT project jurisdictions are expected to offer recommendations for their preferred alternatives to the Governor and Legislature by October and projected the Governor will identify preferred project alternatives in November and then the Regional Transportation Investment District (RTID) will submit its input by December. He requested the Medina City Council review the DEIS alternatives and options and encouraged participation in Executive Committee meetings which are scheduled for the weeks of October 9<sup>th</sup> and October 23<sup>rd</sup>.

Mayor Adam opened the floor to public comment at 8:00 pm.

Joe Meisenheimer questioned the tunnel versus gapped lid design for the project and Mr. Milton answered that those alternatives are still under review.

Oliver Elliott inquired about project design and property acquisition and Mr. Milton offered to obtain Mr. Elliott's contact information in order to follow up with resident after factual information could be gathered.

Whitney Hines asked about berm design and Mr. Milton responded that the design and locations are currently under review.

Wilma Edmonds questioned Mr. Milton if truck-trailer combinations would be allowed and he acknowledged that the legal semi truck and trailer combination would be.

Mark Nelson raised a question regarding HOV lane use and Mr. Milton remarked that the DEIS assumption is the lanes will be a 24/7 HOV system, however HOV lane policy has not yet been finalized.

Mark Anderson inquired about project financing options and Mr. Milton said it could be a public/private partnership, but that has yet to be determined. He said in 2007 the department can ask for solicitations and in 2008 solicitations could be made of the SR-520 Bridge, but the decision would be determined through a future legislative/governor-type discussion.

Mike Mandel asked about bridge height and Mr. Milton answered that the future road level would be a similar height to what is seen today.

An unidentified audience member questioned bus transportation routes and Mr. Milton responded that buses would travel underneath proposed lids.

Another unidentified audience member asked how tolls would be collected and Mr. Milton stated that proposed tolls would be collected electronically, but policy remains to be developed by the Washington State Transportation Commission.

Jane Hesch inquired if accessibility would be impacted during construction and Mr. Milton remarked that WSDOT intends to have limited, short traffic closures and noted the main line would not be closed at all. He added that the six-mile project will begin in 2009 and would be completed during 2015-2017, including construction of off-site work.

Dave Martin asked if pedestrians and bicyclists would be charged a toll and Mr. Milton answered that that is not the intent at this time.

Whitney Hines questioned the final design and bidding process and Mr. Milton remarked that the contract would most likely be awarded to the lowest bidder if specifications are met.

Mayor closed audience participation and opened up the floor to council questions at 8:13 pm.

Rudolph inquired about transit options at 84<sup>th</sup> and 92<sup>nd</sup>, partial property buyouts, wall height, truck traffic, and noise impacts. Mr. Milton said the ultimate decision regarding transit has not yet been determined, however council's preference to retain the flyer stop will weigh heavily during the decision process. He stated the worse case scenario would be disclosed in DEIS for property buyouts, but the intent would be to limit such action and that negotiations would occur with property owners if it were ultimately deemed necessary. Mr. Milton said mitigation requirements would be to maintain noise below 66 decibels and routing/rerouting of trucks has not been finalized.

Phelps asked, on behalf of citizens, a question regarding HOV lane carpool capacity and Mr. Milton answered that it will be assumed to be three riders, however that policy will be set by the transportation commission and further review may still be investigated. He urged comments to be submitted to WSDOT.

Blazey questioned if SR-520 ramp access could limit vehicles that avoid accessing ramp from Bellevue Way and instead cut through Medina. Mr. Milton remarked that options will be reviewed during the final design phase to reduce that impact overall.

Biglow inquired about impacts to Fairweather Nature Preserve and was told there would be a small, temporary impact during construction only, but there would be no permanent acquisition of Fairweather, however trees would be removed as indicated in DEIS.

Street Improvement Projects Report (8:26 pm)

MOTION PHELPS AND SECOND ADAM TO APPROVE CHANGE ORDER FOR ADDITIONAL WORK TO WATSON ASPHALT CONTRACT FOR AN AMOUNT NO HIGHER THAN \$58,397, MOTION PASSED 6-0 (8:28 PM).
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Tree and Vegetation Ordinance (8:28 pm)

Gellings summarized findings based on analysis of Medina landscape plans and conveyed that council input regarding ordinance was integrated into the six decision areas as outlined in the report.

During council discussion Adam expressed that he did not approve of caliper inch reduction and that very large trees should be protected, and Blazey agreed. Vall-Spinosa suggested the city should provide a list of pre-approved arborists, and Gellings said he would need to discuss that with the city attorney. Vall-Spinosa conveyed the city should consider offering the tree fund to citizens as a source for free evergreen trees for planting in the right of way. Rudolph remarked that he would like to discuss mitigation for deciduous trees and Phelps added that deciduous trees on the preferred tree and plant list should match trees on the not recommended list and prohibited trees should be very specific for matters of consistency.

Adam opened the floor to public comment at 9:13 pm.

Mark Anderson said that as an architect for a firm that performs a lot of work in the Points area, the council should consider the ordinance's unintended consequences and resulting tree farms. He suggested a provision in the ordinance to allow for an administrative review for appropriate site mitigation for evergreen preservation and for mitigation replacement to prevent unreasonable solutions.

Chris Lanzinger said he is a builder in the neighborhood and has lived in Medina for fourteen years. He stated he moved to Medina because it was a sunny, bright neighborhood, but has become worried that the tree canopy will become overgrown and the city will become a dark place. He remarked that he understands why some trees need to be removed and then mitigated, but that replacement has been overdone and needs to be addressed.

Meredith Shank said she would like the evergreens saved, they are important to the character of Medina and that was why she moved here. She stated she would like to

see the city require builders to replace trees with larger more mature trees, rather than numerous smaller trees, and asked the council to respect the ordinance as originally developed.

Whitney Hines agreed with Mrs. Shank's comments and added that Medina is unique because of its evergreens and suggested the council consider more elegant, larger trees for replacement rather than smaller trees.

Joe Meisenheimer expressed that the city should develop a neutral list of approved arborists, rather than having one arborist contracted by the city. He stated trees shouldn't be saved just to save trees, but rather to take steps to keep trees healthy and better managed, especially when saving majestic trees. Resident suggested deciduous trees, especially cottonwoods, large leaf maples, and Oregon ashes be considered on the prohibited list and reported that the Madrona in Medina Park appears dead and should be removed.

Michele Kastner suggested there be a variance process for tree removal. She said her property's previous owner mitigated by planting trees and now some trees need to be removed due to over-planting and she has since been penalized through mitigation requirements for tree removal. She agreed with earlier comments regarding forest farms and urged council to look at the issue further.

Kay Koelemay reported that a pine tree west of Medina Elementary School is leaning dangerously. She agreed with Mrs. Shank's comments and added that Medina should maintain its large trees and suggested council consider a reward system rather than a penalty system to maintain evergreens, noting that the current system negatively impacts neighbors.

Mark Nelson suggested the council consider allowances for trees and root systems and that rules should apply fairly and equally to all communities. He stated right of way tree regulations and maintenance requirements should be determined. He read from a document titled *Tree Ordinance Guidelines*, which was submitted to the city clerk.

Mayor closed audience participation at 9:43 pm.

Council directed Gellings to calculate and provide to council a figure of large evergreens (approximately 20-inch trees) that have been removed in the past ten years, if possible, and to ensure that the ordinance would be user-friendly. Councilmembers also recommended a reward system be considered, and suggested the Hunts Point manager speak to Medina regarding its tree ordinance. Adam requested the willow tree be considered as a prohibited tree, restated his preference to retain current caliber inch requirement, and that he would like to see the ordinance and alternatives side-by-side.

Mayor requested moving Item E-4, St. Thomas Church/School Notice of Decision, next to accommodate members of the audience and the council concurred.

St. Thomas Church/School Notice of Decision (9:53 pm)

Gellings conveyed staff prepared a draft of council's findings and Adam opened the topic to discussion.

Vall-Spinosa stated that he had reviewed the videotape and materials from the July 10<sup>th</sup> public hearing and disclosed that three years ago he participated in role negotiations between the school and church, however he has not been involved with either for at least two years. Vall-Spinosa claimed that he would be able to assert fairness in his decision and no one in the audience questioned his declaration.

Beginning at 9:58 pm, Vall-Spinosa read from a written statement for thirteen minutes listing a number of reasons justifying a motion to re-open the public hearing and council deliberations followed. Vall-Spinosa was requested to reduce his points to writing prior to public hearing.

MOTION VALL-SPINOSA AND SECOND BIGLOW TO RE-OPEN THE PUBLIC HEARING OF ST. THOMAS SPECIAL USE AND VARIANCE PERMITS FOR THE PURPOSE OF FINDING ANSWERS TO FURTHER QUESTIONS GERMANE TO THE PROJECT'S SIZE AND PROMINENCE, MOTION PASSED 4-2-1 (BIGLOW AND BLAZEY OPPOSED, LAWRENCE ABSTAINED), 10:24 PM

Public hearing was moved to the September 11<sup>th</sup> regular meeting. Councilmembers agreed to reduce their questions/issues to writing and to submit to Gellings for distribution.

MOTION PHELPS AND SECOND VALL-SPINOSA TO EXTEND MEETING TO 11:00 PM, MOTION PASSED 7-0, 10:29 PM.

Permit Process Action Plan Implementation Status Report (10:30 pm)

Gellings stated the report included staff action items resulting from focus groups and policy-related concerns were not included. He added that his monthly department reports would be used to transmit updates.

2007 Budget Targets (10:32 pm)

Schulze requested council direction for 2007 budget targets and objectives. Adam stated the standard practice of ensuring operating expenditures, including new capital improvements, are not to exceed revenues and should be continued. Blazezy requested to see figures comparing both a tax rate of minus five-percent and a zero-percent tax rate. Adam requested detail sheets be distributed to council by October and budget finalized before December.

Business License Program (10:48 pm)

Schulze provided an overview of the program and asked council to consider authorizing the city to enter into an agreement with the State of Washington Department of Licensing and council discussion followed.

An informal vote of 2-3-2 at 11:10 pm concluded that the program would not be pursued.

MOTION AND SECOND TO EXTEND MEETING FIFTEEN MINUTES, MOTION PASSED 7-0, 11:10 PM.

Medina Beach Park Shoreline Restoration Project (11:10 pm)

Phelps stated she would like council to consider retaining, rather than removing, the present small public access dock and council discussion followed.

MOTION PHELPS AND SECOND RUDOLPH TO RECONSIDER MOTION APPROVED DURING JULY 10<sup>TH</sup> CITY COUNCIL MEETING APPROVING MEDINA BEACH PARK SHORELINE RESTORATION PROJECT, SCHEDULE A, B AND D, MOTION FAILED 3-4 (ADAM, BIGLOW, BLAZEY, AND LAWRENCE OPPOSED) 11:18 PM.

Council Agenda Calendar (11:19)

Council agenda calendar discussed.

**ADJOURNMENT**

MOTION AND SECOND TO ADJOURN THE JULY 24, 2006, CITY COUNCIL STUDY SESSION, MOTION PASSED 7-0, 11:28 PM.

The July 24, 2006, Study Session of the Medina City Council adjourned at 11:28 pm.

The next Regular Meeting of the Medina City Council will be held Monday, August 14, 2006. An Executive Session will begin at 6:00 pm to discuss labor negotiations, per RCW 42.30.110 (1) (g). The public portion of the meeting will begin at 7:00 pm.

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Miles R. Adam, Mayor

Attest:

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Rachel Baker, City Clerk